

ENTERED

January 03, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONLEWIS EARL PERKINS,
(Inmate # 02051283),*Plaintiff,*

vs.

OFFICER ORTIZ, *et al.*,*Defendants.*§
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CIVIL ACTION NO. H-24-2989

ORDER REOPENING ACTION

Plaintiff Lewis Earl Perkins, (Inmate # 02051283), is an inmate at the Harris County Jail. In August 2024, he filed a civil rights complaint under 42 U.S.C. § 1983, alleging that Harris County Jail Detention Officer Ortiz, Detention Officer Dones, Supervisor Williams, and the Harris County Sheriff's Office Jail violated his constitutional rights by using excessive force against him. (Dkt. 1). The Court ordered Perkins to file a More Definite Statement of his claims, (Dkt. 7), and Perkins filed a timely response. (Dkt. 8). Based on Perkins's responses, the Court ordered him to file a Supplemental More Definite Statement of his claims. (Dkt. 10). Perkins's response to that Order was due on or before November 4, 2024. (*Id.*). When the Court had not received Perkins's Supplemental More Definite Statement by December 2, 2024, the Court closed this action for lack of prosecution. (Dkt. 11).

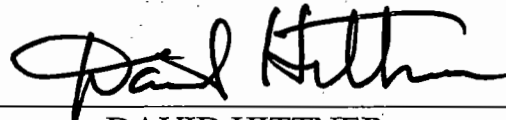
On December 17, 2024, the Court received Perkins's Supplemental More

Definite Statement. (Dkt. 12). The postmark on the envelope shows that it was placed in the Jail's mail system no later than November 11, 2024. (*Id.* at 8). While this was slightly past the Court's deadline, it is apparent that Perkins did not intend to abandon his action. The Court does not know why this piece of mail was delayed in its delivery by five weeks, but it is clear that it was through no fault of Perkins.

Accordingly, the Court **ORDERS** that this action be **REOPENED** and reinstated to the Court's active docket.

The Clerk will provide a copy of this Order to the plaintiff.

SIGNED at Houston, Texas on Jan 3, 2025.

A handwritten signature in black ink, appearing to read "David Hittner", written over a horizontal line.

DAVID HITTNER
UNITED STATES DISTRICT JUDGE